

Application No.: 10/645,665Docket No.: 2328-062**REMARKS**

The courtesies granted to the undersigned attorney for applicants by Examiner Tran during an interview on February 26, 2008, are noted. Examiner Tran, who supervises Examiner Le, conducted the interview by himself because Examiner Le was ill.

During the interview, attorney for applicant suggested changing "in three or more" in the claims to "several." Examiner Tran stated his belief that the word "several" was vague. During the interview, it was agreed that applicants could insert language such as "comprising three" because of the disclosure of three different frequencies from sources 52, 54 and 56 being applied to the plasma. It was also agreed that such language would be interpreted in an open-ended fashion, that is, as three or more. To this end, the claims which formerly recited "three or more" now require the source arrangement to have a set of frequencies comprising three frequencies. Entry of the amendment is in order because it does not require consideration of new issues or a new search. It is apparent that previous consideration has been given to art relating to applying three or more frequencies to a plasma. Claim 18 has been amended for consistency with amended independent claim 16.

Paragraph 0045 of the application as published indicates all three frequencies from sources 52, 54 and 56 can drive bottom electrode 16 while electrodes 34, 36 and 42 are grounded. Paragraph 0056 of the published application indicates the low, medium and high frequencies of sources 52, 54 and 56 can be simultaneously applied to electrode 16 while electrodes 34, 36 and 42 are grounded. Paragraph 0057 of the published application indicates the low and medium frequencies can be applied to bottom electrode 16 while the high frequency is applied to top electrode 36 while electrodes 34 and 42 are grounded.

Application No.: 10/645,665Docket No.: 2328-062

Based on the foregoing, the specification provides a clear disclosure of the claims as now submitted. Consequently, the rejection of the claims under 35 USC 112, paragraph 1 has been obviated and the claims comply with 35 USC 112, paragraph 2. In this regard, claims 34 and 38, previously indicated as allowable, have been amended to include language that is similar to the new language inserted in the remaining, previously rejected independent claims.

During the interview, attorney for applicants pointed out how the triode reactor shown in Exhibit 1 of the Declaration under 37 CFR 1.131 is disclosed in the specification of the application. Upper electrode 36 of the application corresponds with the upper electrode of the processor of the Declaration, which in the figure of Exhibit 1 of the Declaration is responsive to 27 MHz power; the Declaration and Exhibits 2 and 3 accompanying the Declaration indicate 40 MHz was applied to the upper electrode. Paragraph 0057 of the published application discloses a high frequency is applied to top electrode 36; Figure 1 and paragraph 0042 of the published application indicate the high frequency is in the range of 27-300 MHz. Lower electrode 16 of the application corresponds with the lower electrode of the processor of the Declaration. Exhibit 1 of the Declaration indicates the lower electrode is responsive to 2 MHz power; the Declaration and Exhibits 2 and 3 accompanying the Declaration indicate 27 MHz and 2 MHz are applied to the lower electrode. Paragraph 0057 of the published application discloses that medium and low frequencies are applied to bottom electrode 16 while the top electrode is responsive to the high frequency; Figure 1 and paragraph 0042 of the published application indicate the medium and low frequencies are in the range of 10-150 MHz and 400 kHz-100 MHz, respectively. Ring shaped, grounded electrodes of Exhibit 1 that are outside the top and bottom electrodes of Exhibit 1 respectively correspond with ring shaped electrodes 42 and 34, as illustrated in Figures 1, 2C and 3 of the application. Paragraph 0057 of the published application indicates electrodes 34 and 42 are grounded while the high frequency is applied to top electrode 36 and the medium and low frequencies are applied to electrode 16. Based on the foregoing, examiner Tran, during the interview, agreed there is a clear correlation between the

Application No.: 10/645,665Docket No.: 2328-062

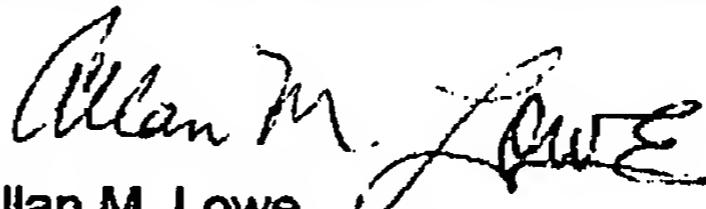
reactor discussed and shown in the exhibits of the Declaration and the structure disclosed in the application. Consequently, all rejections based on Howard, US patent publication 2005/0022933, are overcome.

Applicants also note that all the previously rejected claims distinguish over the prior art of record by requiring a set of frequencies comprising three frequencies to be applied or coupled to an electrode.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN HAM & BERNER, LLP

  
Allan M. Lowe  
Registration No. 19,641

USPTO Customer No. 22429  
1700 Diagonal Road, Suite 300  
Alexandria, VA 22314  
(703) 684-1111  
(703) 518-5499 Facsimile  
Date: March 10, 2008  
AML/cjf

GLP/JL